

VA Health Care Benefits Eligibility

Does the SM have any disabilities?¹

YES

Are the disabilities service-connected?²

YES

Statutory Bar to Benefits?

NO

Discharged Pursuant to Approved Punitive Discharge?

NO

Regulatory Bar to Benefits?

NO

No Bars to Benefits

NO

NO

YES

YES

YES

Some disabilities will manifest following separation from the service. Additionally, in many situations, VA provides Health Care Benefits for nonservice-connected disabilities. Accordingly, commands should still consider how their proposed courses of action would impact future access to VA Health Care.

Was the disability incurred or aggravated in the line of duty during a prior period of honorable active service?

YES

NO

Is the disability related to Military Sexual Trauma (MST)?³
Was the servicemember insane at the time of the acts resulting in discharge?⁴

YES

NO

Not Precluded From Receipt of VA Health Care Benefits for Service-Connected Disabilities⁶

See other applicable charts for a determination of Non-Health Care VA Benefits

Not Precluded from VA Benefits, to include VA Health Care Benefits^{6, 7}

1. For purposes of this chart, the term "disability" includes any condition that may entitle a SM to VA Health Care Benefits, to include any wounds, illnesses, and injuries.
2. Service-connection is loosely synonymous with "in the line of duty."
3. For more information on MST, see <http://www.mentalhealth.va.gov/msthome.asp>.
4. See 38 C.F.R. § 3.354(a) for the definition of insanity for VA benefits purposes.
5. The term "period of dishonorable service" is pursuant to the definition in 38 U.S.C. § 101 and applicable VA Rules and Regulations. It is not synonymous with a Dishonorable Discharge adjudged at a general court-martial.
6. The SM may also be eligible for other benefits earned because of a prior period of honorable service. For any benefit, a former servicemember must also meet all other non characterization-based eligibility requirements. MST victims otherwise ineligible for VA Health Care are likely eligible for health care for all physical and mental health conditions related to their MST experiences. Those convicted of violating Articles 94 and 104, UCMJ, are likely ineligible for VA Health Care.
7. Many veterans may qualify for VA Health Care Benefits for all disabilities, regardless of service connection. See VA guidance for additional information.

Statutory Bar Citations

38 U.S.C. § 5303(a)
38 C.F.R. § 3.12(c)
38 C.F.R. § 3.360

Ineligible for VA Health Care Benefits for disabilities connected solely to a period of dishonorable service⁵

Punitive Discharge Citations

P.L. 95-126 (1977)
38 C.F.R. § 3.360